



38 FEB 2005

1343.45016X00

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Toshiyuki AIBA
Application No.: 10/535,398
Filed: May 18, 2005
For: SEEDLING POT FOR RAISING ROOT CROP SEEDLINGS
Art Unit: 3671

REPLY TO NOTIFICATION OF INSUFFICIENT FEES

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 8, 2006

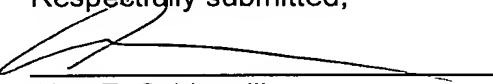
Sir:

In response to the Notification of Insufficient Fees dated December 8, 2005, in connection with the above-identified application, attached hereto is a Preliminary Amendment canceling the multiple dependent claim format for which fees were due. Accordingly, it is submitted an additional fee is unnecessary.

Also, it is noted authorization to charge the undersigned's deposit account was provided in Applicant's Transmittal Letter. Therefore, the fees should not have been insufficient.

Please charge any shortages in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (1343.45016X00) and please credit any excess fees to such deposit account.

Respectfully submitted,


Alan E. Schiavelli
Registration No. 32,087
ANTONELLI, TERRY, STOUT & KRAUS, LLP

AES/at
(703) 312-6600



UNITED STATES PATENT AND TRADEMARK OFFICE

AES-1343.45016X00

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|-------------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/535,398 | Toshiyuki Aiba | 1343.45016X00 |
| INTERNATIONAL APPLICATION NO. | | |
| PCT/JP02/12025 | | |
| I.A. FILING DATE | | PRIORITY DATE |
| 11/18/2002 | | |
| CONFIRMATION NO. 4411 | | |
| 371 FORMALITIES LETTER | | |
| *OC000000017593929* | | |
| <i>FEES DUE 2/8/06</i> | | |

Date Mailed: 12/08/2005

Notification of Insufficient Fees (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/18/2005
- English Translation of the IA filed on 05/18/2005
- Copy of the International Search Report filed on 05/18/2005
- Oath or Declaration filed on 05/18/2005
- U.S. Basic National Fees filed on 05/18/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$360** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$360** for a Large Entity:

- Total additional claim fee(s) for this application is **\$ 360**
 - **\$360** for multiple dependent claim surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/535,398 | PCT/JP02/12025 | 1343.45016X00 |

FORM PCT/DO/EO/923 (371 Formalities Notice)